

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Defendant.

Civil Action No. 1:14-cv-14176-ADB

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

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June 15, 2018

Pursuant to Federal Rule of Civil Procedure 56, Plaintiff Students for Fair Admissions, Inc. (“SFFA”) respectfully moves for summary judgment against Defendant President and Fellows of Harvard College (“Harvard”) on Counts I, II, III, and V of the Complaint. *See* Doc. 1. As explained in more detail in the accompanying Memorandum of Law, the undisputed evidence shows that:

1. Harvard intentionally discriminates against Asian Americans.
2. Harvard engages in racial balancing.
3. Harvard is not using race to achieve critical mass.
4. Harvard neither gave serious, good faith consideration to nor took advantage of workable race-neutral alternatives.

Each of these actions violates Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*

WHEREFORE, SFFA respectfully requests that the Court grant it summary judgment on Counts I, II, III, and V of the Complaint

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), SFFA respectfully requests oral argument.

Dated: June 15, 2018

Respectfully submitted,

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Attorneys for Plaintiff Students for Fair Admissions, Inc.

LOCAL RULE 7.1 CERTIFICATION

Counsel for SFFA hereby certifies that counsel for SFFA conferred with Harvard's counsel in a good faith attempt to resolve or narrow the issues involved in this motion.

/s/ William S. Consovoy
William S. Consovoy

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ William S. Consovoy
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